

MANISTEE CITY PLANNING COMMISSION

70 Maple Street
P.O. Box 358
Manistee, Michigan 49660

MEETING OF MARCH 6, 1997

There will be a meeting of the Manistee City Planning Commission to be held on Thursday, March 6, 1997 at 7:00 P.M. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

AGENDA

- I. Roll Call
- II. Matters Pertaining to the General Citizenry:
 - A. Public Hearing:
 - 1. Zoning Change - Ronald Sutter
 - 2.
 - B. Site Plan Reviews:
 - 1. Snyder's Shoes
 - 2. Bob Horvat - Motel
 - 3.
 - C. Questions, Concerns and Consideration of Matters
 - 1.
 - 2.
- III. Business Session:
 - A. Approval of Minutes from Last Meeting (2/6/97)
 - B. Unfinished Business:
 - 1. Zoning Change - Ronald Sutter
 - 2.
 - 3.
 - C. Other Communications:
 - 1. City Update
 - 2.
 - D. Reports:
 - 1. D.D.A. Update
 - 2. Zoning Board of Appeals
 - 3. Site Plan Review/Historic Overlay Committees
 - 4. Joint City Review/Ordinance Committee
 - 5. Pre-Manufactured Homes - Adult Foster Care
 - E. New Business:
 - 1. Set date for March Worksession
 - 2.
- IV. Work/Study Session:
- V. Adjournment

cc: Planning Commission Members
City Council
R. Ben Bifoss, City Manager
Jon Rose, Community Development Officer
Lori Doman, Administrative Assistant
Kurt Schindler, County Planner
Manistee News Advocate
Manistee Observer
WMTE Radio
WXYQ Radio
Jeff Mikula, Aboumarche
Julie Beardslee, Assessor

City of Manistee

Memorandum

TO: Planning Commission Members

FROM: Lori L. Donnan *LLD*

DATE: February 28, 1997

SUBJECT: March 6, 1997 Planning Commission Meeting

A public hearing for Mr. Ronald Sutter is on the Agenda for our March 6th meeting. Mr. Sutter is requesting a Zoning Change for a parcel he owns at 68 Lake Street. The parcel is currently zoned as R-4 (Residential). Mr. Sutter is requesting that the parcel be rezoned to C-4 (Commercial), so that he may operate a carpentry/woodshop/office space out of the garage that is currently on the property. Enclosed is the Zoning Change Request Application and a Site Plan for your review.

Also enclosed in your packet are a copies of a letter from Dr. Mattice and Mr. & Mrs. John Raz concerning the zoning change request for the 68 Lake Street parcel. Mr. & Mrs. Raz own the parcel on 58 Lake Street. The couple reside in Empire and currently use the dwelling at 58 Lake Street as a rental unit. Please note that the Raz's are opposed to this request. In addition to their written concerns, the Raz's have expressed (via telephone) concern for the volume of traffic noise that Mr. Sutter's business may create. Please keep these matters in perspective as you are addressing Mr. Sutter's zoning change request.

In addition to the above enclosures, your packet contains Subdivision Control Act Amendments (received from Kurt Schindler), and two items on manufactured housing. Please review these items at your leisure.

I am suggesting that we schedule a workshop on March 20, 1997, to discuss the necessary elements involved with manufactured housing zoning. Those members unable to attend our February 20, workshop will need to review the City Ordinances handed out at that meeting.

If you have any questions or comments, please cal me at 723-2558.

LLD:djm

CITY OF MANISTEE

Michigan

COUNCIL GOVERNMENT
CITY MANAGER PLAN
P.O. BOX 358
MANISTEE, MICHIGAN 49660

INSTRUCTIONS FOR THE COMPLETION OF PETITION FOR ZONING AMENDMENT

1. FILL IN ALL INFORMATION REQUESTED IN THE DESIGNATED BLANKS. MAKE ALL ANSWERS TO THE QUESTIONS AS CLEAR, SPECIFIC AND AS BRIEF AS POSSIBLE. IF ADDITIONAL SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS.
2. INFORMATION CONCERNING THE ZONING DISTRICT IN WHICH YOUR PROPERTY IS LOCATED, AS WELL AS THE REQUIREMENTS OF THE OTHER DISTRICTS IN THE CITY, CAN BE OBTAINED FROM THE CITY ASSESSOR.
3. INFORMATION CONCERNING THE PROPERTY INFORMATION CAN BE OBTAINED FROM YOUR LAST TAX STATEMENT/RECEIPT AND FROM YOUR RECORDED DEED.
4. BE SURE TO PREPARE AND SUBMIT A SITE PLAN OF THE PROPERTY, AS REQUIRED IN SECTION II, PARAGRAPH E. OF THE PETITION, MAKING SURE ALL REQUIRED ITEMS ARE INCLUDED IN THE PLAN.
5. WHEN THE PETITION HAS BEEN FULLY COMPLETED AND SIGNED, RETURN IT ALONG WITH THE REQUIRED FILING FEE TO THE CITY ASSESSOR. (CHECK WITH THE ASSESSOR TO DETERMINE THE CORRECT AMOUNT TO SUBMIT)

WHEN THE PUBLIC HEARING HAS BEEN SCHEDULED BY THE PLANNING COMMISSION TO RECEIVE COMMENT ON YOUR REQUEST, YOU WILL RECEIVE WRITTEN NOTICE FROM THE CITY INDICATING THE DATE AND TIME. YOU OR YOUR REPRESENTATIVE SHOULD BE PRESENT AT THAT TIME TO EXPLAIN YOUR REQUEST TO THE PLANNING COMMISSION AND TO ANSWER ANY QUESTIONS.

AFTER THE PUBLIC HEARING, THE PLANNING COMMISSION WILL MAKE A RECOMMENDATION TO THE CITY COUNCIL TO EITHER APPROVE OR DENY YOUR REQUEST. AT THAT TIME THE CITY COUNCIL WILL CONSIDER WHAT FINAL ACTION THEY WILL TAKE ON YOUR PETITION.

IF YOU HAVE ANY QUESTIONS CONCERNING THIS PETITION, PLEASE CONTACT THE CITY ASSESSOR AT 723-2558, MONDAY THROUGH FRIDAY, BETWEEN THE HOURS OF 8:00 A.M AND 5:00 P.M. OR BY STOPPING BY HIS OFFICE AT 70 MAPLE STREET, MANISTEE. IT IS ADVISABLE TO CALL AHEAD FOR AN APPOINTMENT.

CITY OF MANISTEE
Michigan

3-6-97
COUNCIL GOVERNMENT
CITY MANAGER PLAN

P.O. BOX 358
MANISTEE, MICHIGAN 49660

PETITION FOR ZONING AMENDMENT

TO: MANISTEE CITY COUNCIL
MANISTEE CITY PLANNING COMMISSION

BY: Ronald Sutter
NAME OF PETITIONER

3 Hahn Road
ADDRESS OF PETITIONER

Manistee, MI 49660
CITY, STATE, ZIP CODE

(H) 723-4064 (W)
TELEPHONE NUMBERS - HOME & WORK

FOR OFFICE USE ONLY

CASE NO. _____
DATE RECEIVED 1-29-97
TAX PARCEL NO. 51-51-448-711-11
FEE RECEIVED (AMOUNT & DATE) 200.00 1-29-97
RECEIPT NO. 1201
HEARING DATE _____
PLANNING COMMISSION ACTION AND DATE _____
CITY COUNCIL ACTION _____
DATE _____

PLEASE NOTE: ALL QUESTIONS MUST BE ANSWERED COMPLETELY. IF ADDITIONAL SPACE IS NEEDED, NUMBER AND ATTACH ADDITIONAL SHEETS.

I. ACTION REQUESTED

I (WE), THE UNDERSIGNED TO HEREBY REQUEST THAT THE CITY OF MANISTEE APPROVE THE FOLLOWING PETITION FOR ZONING AMENDMENT:

A. TEXT AMENDMENT: AMEND ARTICLE _____ SECTION _____ TO (DELETE, SUPPLEMENT OR CLARIFY) THE MANISTEE CITY ZONING ORDINANCE BY MAKING THE FOLLOWING CHANGE(S):
(ATTACH ADDITIONAL SHEETS IF NECESSARY - STATE PROPOSED ORDINANCE LANGUAGE) _____

B. REZONE FROM R4 TO C4 THE PROPERTY(S) DESCRIBED IN 11 'PROPERTY INFORMATION' (BELOW), FOR THE FOLLOWING PURPOSE: (STATE PROPOSED USE OF THE LAND) want to use the garage as a carpentry / woodshop office. The garage stands alone on the property in question. want to add city water and sewer to building

A PREVIOUS APPLICATION FOR A VARIANCE, SPECIAL USE PERMIT OR REZONING ON THIS LAND (HAS / HAS NOT) BEEN MADE WITH RESPECT TO THESE PREMISES IN THE LAST _____ YEARS. IF A PREVIOUS APPEAL, REZONING OR SPECIAL USE PERMIT WAS MADE, STATE THE DATE, NATURE OF ACTION REQUESTED AND THE DECISION: (DATE) _____
(ACTION REQUESTED) _____
(DECISION) ☐ APPROVED ☐ DENIED

(CONTINUED)

II. PROPERTY INFORMATION

A. LEGAL DESCRIPTION OF PROPERTY(S) PROPOSED TO BE REZONED: Filer and Smith DDW - 6ft. OFF lot 11 plus lot 12 and lot 6

TAX ROLL PARCEL DATE PROCESS NUMBER: 51-51-448-711-11

ADDRESS OF PROPERTY: 608 Lake Street

B. LIST ALL DEED RESTRICTIONS (ATTACH ADDITIONAL SHEETS IF NECESSARY) None

C. NAMES AND ADDRESSES OF ALL OTHER PERSONS, FIRMS OR CORPORATIONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE LAND.

Ronald Sutter 3 Hahn Road Manistee MI 49661

D. THIS AREA IS ☐ UNPLATTED, ☒ PLATTED, ☐ WILL BE PLATTED.
IF PLATTED, NAME OF PLAT Filer and Smith

E. ATTACH A SITE PLAN DRAWN TO THE SCALE OF ONE (1) INCH EQUALS TEN (10) FEET, SHOWING ALL EXISTING STRUCTURES ON THE PROPERTY, ALL PROPOSED STRUCTURES AND MARKING THOSE STRUCTURES THAT WILL BE REMOVED OR RAZED. ALSO, THE GENERAL SHAPE, SIZE AND LOCATION OF ALL EXISTING STRUCTURES WITHIN 100 FEET OF THE PROPERTY ALONG WITH THEIR USES SHALL BE DEPICTED ON THE SITE PLAN, ALONG WITH ALL ABUTTING ROADS, STREETS, ALLEYS OR EASEMENTS.

F. PRESENT USE OF THE PROPERTY IS: Storage of household and carpentry items.

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

A. STATE SPECIFICALLY THE REASON FOR THIS AMENDMENT REQUEST AT THIS TIME want to use garage for commercial use. Garage was originally zoned as commercial under previous owner's ownership. want to do light carpentry and woodworking jobs out of garage.

B. IF THE AMENDMENT IS A PROPOSED REZONING, PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. WILL THIS REZONING BE IN CONFORMANCE WITH ALL ADOPTED DEVELOPMENT PLANS OF OF THE CITY OF MANISTEE? ☒ YES ☐ NO AND MANISTEE COUNTY? ☐ YES ☐ NO
2. IF THE PROPOSED ZONE DOES NOT CONFORM TO THE(SE) PLAN(S), WHY SHOULD THE THE CHANGE BE MADE? PLEASE BE SPECIFIC, BRIEF AND ATTACH ANY SUPPORTING DOCUMENTATION WHICH SUBSTANTIATES YOUR CLAIM. THIS COULD INCLUDE AN ALLEGATION THAT THE EXISTING ZONING IS IN ERROR WHICH WOULD BE CORRECTED BY THE PROPOSED CHANGE, OR THAT SPECIFIC CHANGES OR CHANGING CONDITIONS IN THE IMMEDIATE AREA MAKE THE REZONING NECESSARY TO PROMOTION OF PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

3. WHAT DO YOU ANTICIPATE THE IMPACTS OF THE PROPOSED ZONE CHANGE ON THE ADJACENT PROPERTY TO BE? WHAT STEPS DO YOU PROPOSE TO TAKE TO MITIGATE ANY NEGATIVE IMPACTS ASSOCIATED WITH THE PROPOSED CHANGE?

NO impacts are foreseen. Garage already existing.

3. (CONTINUED) Businesses do exist in the same block.
There is a day care center and an account
firm being operated out of Residential
Dwellings. There is also an auto repair shop
in the area located at the end of the
block between Smith and Jones Street.

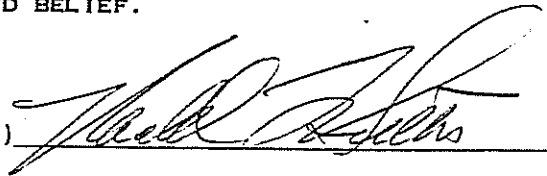
IV. AFFIDAVIT

THE UNDERSIGNED AFFIRMS THAT HE/SHE OR THEY IS (ARE) THE (OWNER, LESSEE, AUTHORIZED AGENT OF OWNER) INVOLVED IN THE PETITION AND THAT THE ANSWERS AND STATEMENTS HEREIN CONTAINED AND THE INFORMATION HERewith SUBMITTED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF HIS, HER OR THEIR KNOWLEDGE AND BELIEF.

DATE

1-29-97

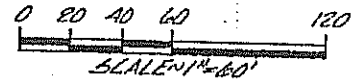
SIGNATURE(S)



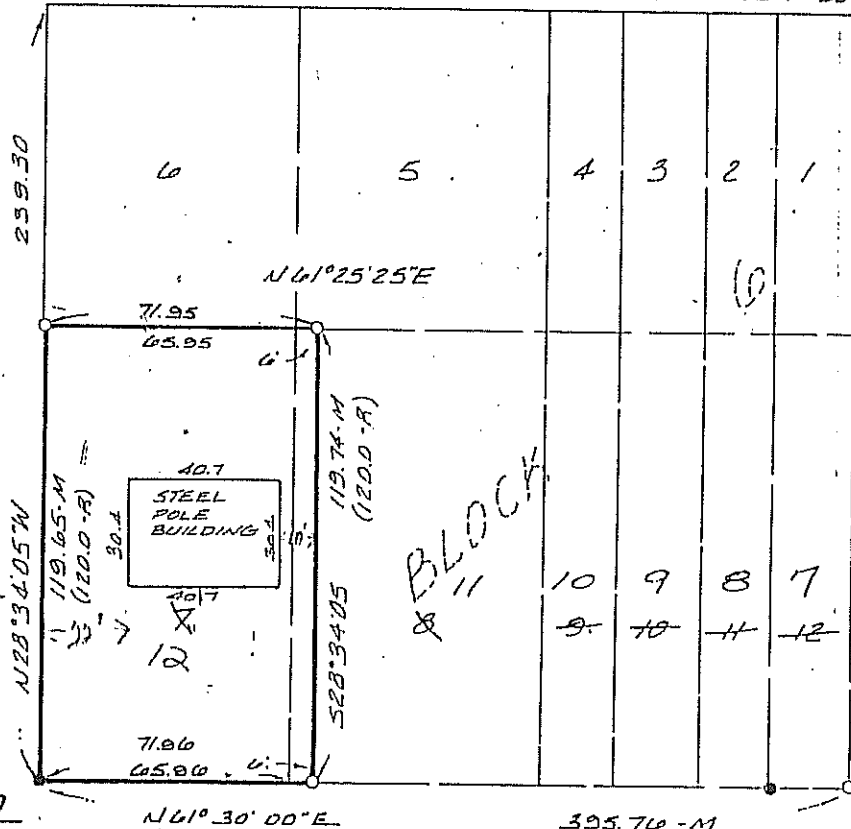
CERTIFICATE OF SURVEY

Lot 12, and the West 6.00 ft. of Lot 11,
Block 6, Filer & Smith's Add'n., to the
Village (Now City) of Manistee.

RIVER ST. 66



SMITH ST. 66 UNDEV

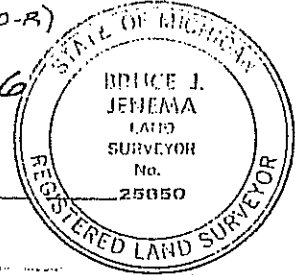


JONES ST. 66

LEGEND

- 1. CONC. MON. FOUND
- 2. IRON FOUND
- 3. IRON W/ CAP SET
- 4. RECORDED AS
- 5. MEASURED

LAKE ST. 66

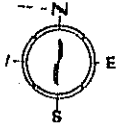


I, the undersigned, being a Registered Land Surveyor, hereby certify that I have surveyed and mapped the above parcel of land, that the ratio of closure of the adjusted field observations is noted, and within limits and that I have fully complied with the regulations of Act 132, P.A. 1970 as amended.
The basis for bearings is:

Bruce J. Jenema

R.L.B. No. 25850

Error of Closure is 1"



Jenema Land Surveys
 302 River Street
 Manistee, MI 49660
 616-723-7930

| | | |
|------------------------|--------------|---------------------|
| Survey for: Jim Pollet | | |
| File No. 89119 | Sheet 1 of 1 | |
| Dwn: BJJ | Chk: RJJ | Date: Mar. 31, 1989 |

Feb 21, 1997

Manistee City Planning Comm.

70 MAPLE ST.

MANISTEE, MI 49660

RE: MARCH 6, 1997 ZONING change Request 68 LAKE ST

Dear Planning Commision members,

Please put me on RECORD AS being
opposed to the proposed zoning request
change at 68 LAKE ST, FOR the following reasons.

* I've owned A residential home AT 58 LAKE ST
SINCE 1984

Being an owner of a residential
home at 58 LAKE ST. SINCE 1984

Please PUT me on RECORD AS being
opposed.

* Would this be an appropriate location
for A C-4 Commercial Zone? Does Is
it in conformance with your Master
Plan? Remember ~~all uses in C-4~~ that
~~any~~ of the uses permitted in C-4
would be permissible ~~once the~~ ^{should}
~~approval for that zone be granted.~~

3.6.97

FEB 27 1997



ROBERT I. MATTICE, D.D.S.

86 MAPLE • MANISTEE, MI 49660 • (616) 723-2954

February 25, 1997

City Planning Commission
70 Maple St
Manistee, MI 49660

Re: Request to rezone 68 Lake Street

Dear Members:

I have often wondered where all the saw noise was coming from in the neighborhood. Saturday and Sunday evenings during the summer are often filled with the screaming and wining of a saw. Out of courtesy to the neighbors I had not inquired. I thought possibly there was a huge remodeling project in the residences. Now it comes to light that there is a commercial shop already operating in the neighborhood?

I would like the commission to know that the Lake Street address is included in a neighborhood that is in the process of renewal. Homes are being remodeled. The lake is right across the street. The homes on Lake Street have tremendous views of the Manistee Lake all the way from Seng's point to Martin Marietta. The owners of these properties do not intend to degrade the neighborhood with a commercially spot zoned, noisy operation.

There was a time in Manistee when building permits or a simple OK from the city was enough to permit a non-conforming structure of this sort in a residential neighborhood. Those days are gone. A planning commission charged with the orderly development of this city is now in place. Go ahead, do your job. And while you are at it stop that saw from running weekends especially in the evening.

Sincerely,

Robert I. Mattice, DDS
18 Hancock St

3-6-97

SITE PLAN REVIEW

NAME: Snyder's Shoe Store

PROPOSED USE:

Retail

ZONING DISTRICT:

C-4

PARCEL CODE: 51-51-453-701-04

USE IS:

X

Permitted

☐

Special

☐

Not Permitted

BULK REGULATIONS

| | REQUIRED BY ZONING | PROPOSED IN PLAN | COMPLIANCE YES | NO |
|------------------|-----------------------|---------------------|-------------------|--------------------------|
| PARCEL SIZE: | 2,500 sq. ft. | Aprox. 2,900 sq. ft | X | <input type="checkbox"/> |
| STREET FRONTAGE: | 25 ft. | 29 ft. | X | <input type="checkbox"/> |
| SETBACKS | | | | |
| FRONT YARD | -0- | -0- | X | <input type="checkbox"/> |
| SIDE YARD | -0- | -0- | X | <input type="checkbox"/> |
| REAR YARD | 6 ft. | n/a | X | <input type="checkbox"/> |
| WATERFRONT | n/a | n/a | X | <input type="checkbox"/> |
| HEIGHT: | 30 ft. | 26 ft. | X | <input type="checkbox"/> |
| PARKING: | n/a | n/a | X | <input type="checkbox"/> |
| BUILDING AREA: | n/a | 2,117 | X | <input type="checkbox"/> |

SPECIAL DISTRICTS

| | APPLIES? | | APPROVED? | |
|--------------------|--------------------------|--------------------------|-----------|--------------------------|
| | YES | NO | YES | NO |
| HISTORIC OVERLAY: | X | <input type="checkbox"/> | X | <input type="checkbox"/> |
| HIGH RISK EROSION: | <input type="checkbox"/> | X | X | <input type="checkbox"/> |
| FLOOD PLAIN: | <input type="checkbox"/> | X | X | <input type="checkbox"/> |
| SOIL EROSION: | <input type="checkbox"/> | X | X | <input type="checkbox"/> |

OTHER:

REVIEWED BY:



Lori L. Donnan, Zoning Administrator

DATE: February 24, 1997

CLM LIGHT FIXTURE - SEE MANUF.
 SPECS FOR PROPER POSITIONING

SEE OWNER FOR SIGNAGE

1/2" x 2 1/4" - 1/4" FIR
BEAD BOARD

3/4" BIRCH PLYWOOD

TOP OF COLUMN
 ELEV: 109'-4"

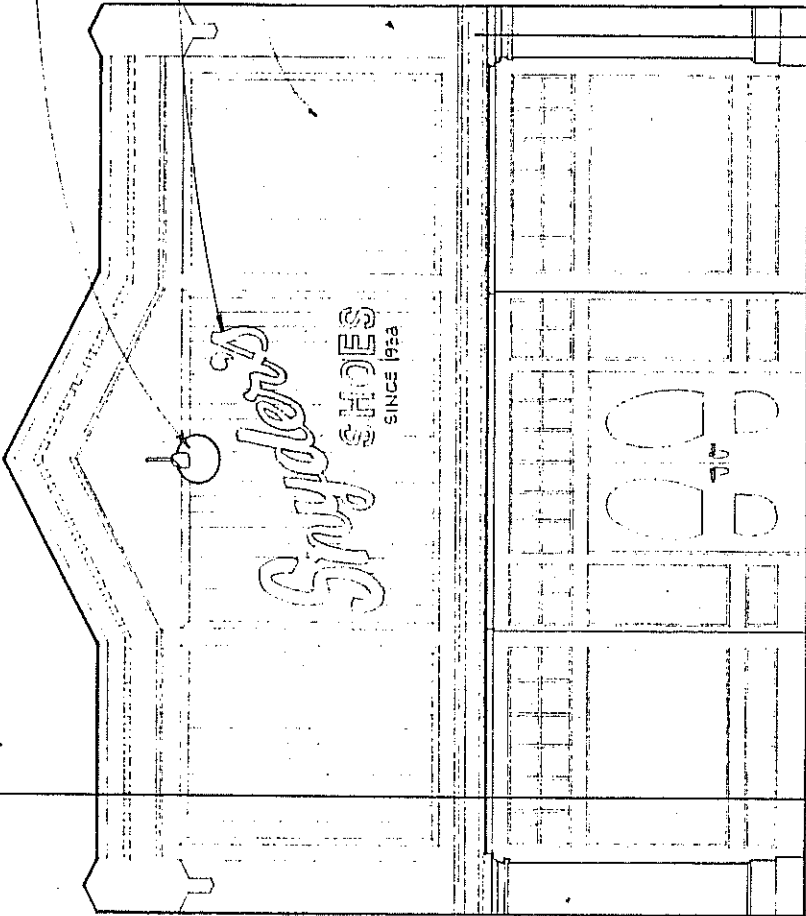
SIDEWALK @
 FACE OF BUILDING
 ELEV: 100'-0"

for
 Hannon
 2/19/97



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



SITE PLAN REVIEW

NAME: Robert & Laura Horvat

PROPOSED USE:

Motel

ZONING DISTRICT:

C-1

PARCEL CODE: 51-51-174-708-01

USE IS:

☒

Permitted

☐

Special

☐

Not Permitted

BULK REGULATIONS

| | REQUIRED BY ZONING | PROPOSED IN PLAN | COMPLIANCE | |
|------------------|------------------------------|---------------------|--------------------------|--------------------------|
| | | | YES | NO |
| PARCEL SIZE: | 20,000 sq. ft. | 60,000 sq. ft. | X | <input type="checkbox"/> |
| STREET FRONTAGE: | 120 ft. | 110 ft. (150 ft) | X | <input type="checkbox"/> |
| SETBACKS | | | | |
| FRONT YARD | 30 ft. (+24 ft access drive) | 54 ft. | X | <input type="checkbox"/> |
| SIDE YARD | 10 ft. | 10 ft. | X | <input type="checkbox"/> |
| REAR YARD | 20 ft. | 20 ft. | X | <input type="checkbox"/> |
| WATERFRONT | n/a | n/a | X | <input type="checkbox"/> |
| HEIGHT: | 30 ft. max. | 29 ft. | X | <input type="checkbox"/> |
| PARKING: | 47 | 50 | X | <input type="checkbox"/> |
| BUILDING AREA: | n/a | 9,074 sq. ft. | <input type="checkbox"/> | <input type="checkbox"/> |

SPECIAL DISTRICTS

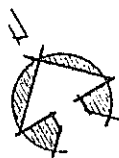
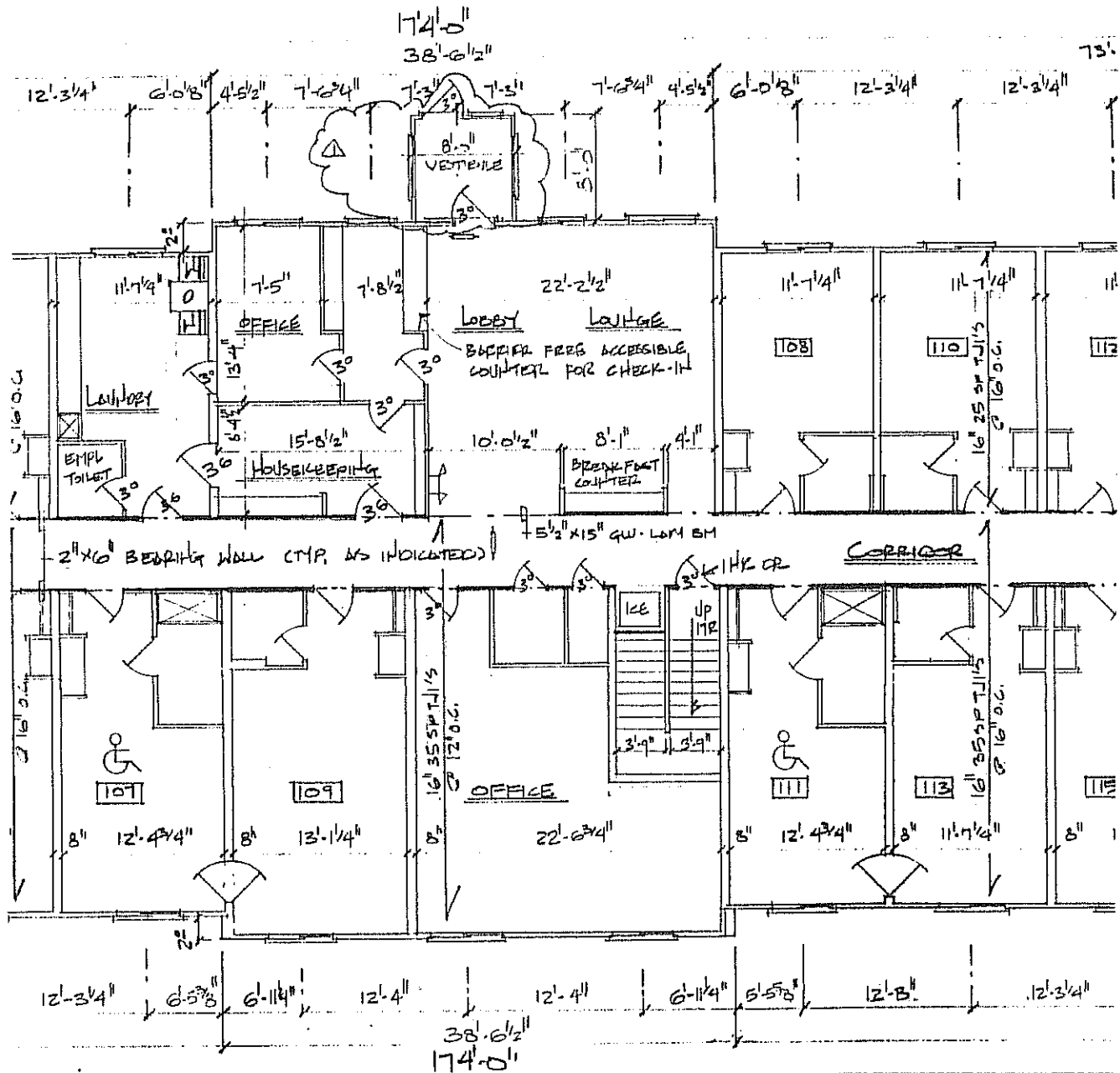
| | APPLIES? | | APPROVED? | |
|--------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | YES | NO | YES | NO |
| HISTORIC OVERLAY: | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| HIGH RISK EROSION: | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| FLOOD PLAIN: | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| SOIL EROSION: | X | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

OTHER:

REVIEWED BY:

Geri Pennar

DATE: March 6, 1997



1/8" = 1'-0"

ASSUMED USE GROUP R-1

TYPE OF CONSTRUCTION 5-B

(BUILDING TO BE PROVIDED W/ SPRINKLER SYSTEM)

ROOF LOADING

| | | |
|------------|------|--------|
| TOP CHORD | L.L. | 42 PSF |
| TOP CHORD | D.L. | 1 |
| BOT. CHORD | D.L. | 10 |
| TOTAL | | 59 PSF |

FLOOR LOADING

| | |
|--------------|--------------|
| GUEST ROOMS | 40 PSF L.L. |
| CORRIDORS | 100 PSF L.L. |
| PUBLIC ROOMS | 100 PSF L.L. |

DESIGN & REVIEW BASED ON 1993 B.O.C.

DIMENSIONS TAKE PRECEDENCE OVER SCALE

BUILDING TO BE SIGHTING SYS DETECTION SYS DETECTORS CO

PROVIDE FIRE

WIND LOADING

ASSUMED SOIL